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12/17/03

ATTORNEY'S DOCKET NO.: 2003946-0049 (Fractalkine US NATL; OP1254-US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Imai, et al. Examiner: Roark, Jessica H.
Serial No.: 09/963,316 Art Unit: 1644
Filing Date: September 25, 2001
Title: USES OF ANTI-CX3CRI ANTIBODY, ANTI-FRACTALKINE ANTIBODY AND FRACTALKINE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Applicant respectfully requests a one (1) month extension of time, from October 26, 2003, to and including November 26, 2003, to reply to the Restriction/Election Requirement mailed September 26, 2003, in the above-referenced case.

In response to the Restriction Requirement, Applicant elects **Group V**, directed to claims 9 to 11, drawn to a method of treating an autoimmune disease by administration of an antibody to fractalkine, classified in Class 424, subclass 144.1. In addition, Applicant hereby elects the following single species: multiple sclerosis for prosecution on the merits. Claims 9 through 11 read on the elected species.

Please charge any fees that may be associated with this matter, or credit any overpayments, to our Deposit Account No.: 03-1721.

Respectfully submitted,

Brenda Herschbach Jarrell, Ph.D.
Registration No. 39,223

Choate, Hall & Stewart
Exchange Place
53 State Street
Boston, MA 02109
(617) 248-5150
Dated: November 26, 2003

Certificate of Mailing
I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

November 26, 2003
Date

Kathy Hart Gagnon
Signature

Kathy Hart Gagnon

Typed or Printed Name of person signing certificate

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